

**DISTRIBUTION
HEARING
EXHIBIT 7001**

Before the
COPYRIGHT ROYALTY JUDGES
Washington, DC

In re

DISTRIBUTION OF 2004, 2005, 2006, 2007, 2008, AND 2009 Cable Royalty Funds	DOCKET NO. 2012-6 CRB CD 2004-09 (Phase II)
DISTRIBUTION OF 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, and 2009 Satellite Royalty Funds	DOCKET NO. 2012-7 CRB SD 1999-2009 (Phase II)

Testimony of John S. Sanders

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My name is John S. Sanders and I am testifying on behalf of the Settling Devotional Claimants ("SDC") in these proceedings.¹ I have been requested to make a fair determination of the *relative fair market values* of particular devotional television programs claimed by the parties in the 2004-2009 Phase II Cable Royalty Proceeding and the 1999-2009 Phase II Satellite Royalty Distribution Proceeding. For simplicity, these matters will be referred to as "the Proceedings" in this testimony.

I provided prior written and oral testimony in connection with the Proceedings, culminating with an appearance before the Copyright Royalty Judges ("Judges") in April of 2015. On May 4, 2016, the Judges issued an *Order Reopening Record and Scheduling Further Proceedings* requesting the participants to "present additional evidence and expert opinion" due to the Judges' finding that "[n]o party has presented a methodology and data that, together, are sufficient to support a final determination in the contested categories."

¹ The Settling Devotional Claimants are comprised of the following entities: Amazing Facts, Inc., American Religious Town Hall, Inc., Catholic Communications Corporation, Christian Television Network, Inc., The Christian Broadcasting Network, Inc., Coral Ridge Ministries Media, Inc., Cottonwood Christian Center, Crenshaw Christian Center, Crystal Cathedral Ministries, Inc., Evangelical Lutheran Church In America, Faith For Today, Inc., Family Worship Center Church, Inc. (D/B/A Jimmy Swaggart Ministries), International Fellowship of Christians & Jews, Inc., In Touch Ministries, Inc., It Is Written, John Hagee Ministries, Inc. (aka Global Evangelism Television), Joyce Meyer Ministries, Inc. (FK/A Life In The Word, Inc.), Kerry Shook Ministries (aka Fellowship of the Woodlands), Lakewood Church (aka Joel Osteen Ministries), Liberty Broadcasting Network, Inc., Messianic Vision, Inc., New Psalmist Baptist Church, Oral Roberts Evangelistic Association, Inc., RBC Ministries, Reginald B. Cherry Ministries, Rhema Bible Church (aka Kenneth Hagin Ministries), Ron Phillips Ministries, Speak The Word Church International, St. Ann's Media, The Potter's House Of Dallas, Inc. (d/b/a T.D. Jakes Ministries), Word of God Fellowship, Inc. (d/b/a Daystar Television Network), Billy Graham Evangelistic Association, and Zola Levitt Ministries.

The purpose of this current testimony is to clarify and supplement my earlier testimony. As such, and to avoid repetition, this testimony is divided into two sections below: NEW ISSUES COVERED IN REOPENED CASE, which is limited primarily to additional data and analysis and ISSUES COVERED IN ORIGINAL CASE, which summarizes and updates my prior testimony.

For the purposes of this analysis, “fair market value” is defined as the price in cash or cash equivalents between a willing buyer and a willing seller, both being fully informed and neither being under compulsion. Relative fair market value is a similar concept, but is expressed as a percentage rather than a dollar amount. The purpose of this analysis is to divide reasonably the royalty pool between SDC and Independent Producers Group (“IPG”).²

I. Professional Background - *Work and Education History*

I have been a Principal at the Washington, DC-based firm Bond & Pecaro, Inc. since 1986. Bond & Pecaro, Inc. specializes in the appraisal of communications and media assets. Prior to that, I was a manager with Frazier, Gross & Kadlec, Inc., where I worked from 1983 to 1986. Frazier, Gross & Kadlec, Inc. also specialized in the valuation of media and communication assets.

During my career, I have actively participated in the appraisal of more than 3,000 communications and media businesses. Much of my work has been focused on the television and cable industries and the appraisal of intangible assets such as customer and subscriber-based assets, syndicated and feature film television programming, and advertiser relationships..

² The distribution of programming royalties for distant signals distributed on cable television and satellite systems is based upon a two phase process. In Phase I, the royalty pool is allocated to broad program categories. In Phase II, the contents of each pool are then divided among each of the constituent programming claimants. In other words, the Phase I procedure divides the royalty pool into reasonably homogenous categories, whereas the Phase II procedure allocates the contents of each category based upon the programming it contains.

I graduated from Dickinson College with a B.A. Cum Laude (Honors) and a double major in International Studies and Economics. I received an M.B.A. from the Colgate Darden Graduate School of Business at the University of Virginia. I also hold the Accredited Senior Appraiser (“ASA”) designation in the specialty of business valuation from the American Society of Appraisers. Additional information on my background is provided in Appendix A.

Since 1983, I have worked on a regular basis for media companies such as Adelphia, Cable One, CBS, Comcast, Fox, Nexstar, Sinclair, Time Warner and many others to perform economic and valuation analyses. These analyses are employed for a variety of purposes including, but not limited to, financial and tax reporting, mergers and acquisitions, financing, litigation support, music rights fees and fixed asset management. I have also filed testimony in the 1998-1999 Cable Royalty Distribution Proceeding (Dkt. No. 2008-1 CRB CD 1998-1999 (Phase II)) in the devotional claimant category, as well as the initial phase of this proceeding, on behalf of the SDC.

II. Primary Materials Considered

In order to establish a comparative assessment of the relative fair market values of IPG and SDC programming, I reviewed the CRB Order of May 4, 2016 reopening the record in this matter, the decision of the Copyright Royalty Judges in the 2000-2003 Phase II Cable Royalty Distribution Proceeding, the CRJ’s *MEMORANDUM OPINION AND ORDER FOLLOWING PRELIMINARY HEARING ON VALIDITY OF CLAIMS* regarding the Distribution of the 2000-2003 Cable Royalty Funds, and the 2004-2005 Phase I Cable Royalty Distribution Proceeding. I also reviewed the 2000-2003 written direct and amended direct and rebuttal cases and oral testimony of witnesses for SDC, IPG and the Motion Picture Association of America-represented Program Suppliers (“MPAA”). Further, I have reviewed the written direct, amended direct and rebuttal

cases and the oral testimony of the SDC and IPG in the 1999 Phase II Cable Royalty Distribution Proceeding, and the Judges' rulings associated therewith.

I have also reviewed the written direct and amended direct and rebuttal cases, all the expert reports prepared and testimony provided in connection with the distribution of 1999-2009 Satellite Royalty Funds and the distribution of 2004-2009 Cable Royalty Funds. These reports were prepared by Erkan Erdem, Ph.D. ("Dr. Erdem") and Toby Berlin ("Ms. Berlin") on behalf of the SDC, Dr. Laura Robinson on behalf of IPG and Dr. Gray on behalf of the MPAA. Furthermore, I had access to and considered Cable and Satellite Statement of Accounts prepared by Cable Data Corporation, programming data from Tribune Media Services, and Nielsen Media Research ("Nielsen") Reports on Devotional Programs ("RODP"). Additionally, I reviewed the list of IPG-represented clients in the 1999 and 2000-2003 Cable Distribution proceedings, and the 1999-2009 Satellite/2004-2009 Cable Distribution Proceeding. I also considered published statistics that report Nielsen measurements of national viewing trends.

Appendix B is a summary listing of SDC claimants in this proceeding and the years in which they have made claims, with a separate listing for satellite and cable claims. Each of the SDC claimants, through their representatives, sent an email confirming the SDC programs. A listing of their program titles, also broken out for the cable and satellite claims, is included in Appendix C.

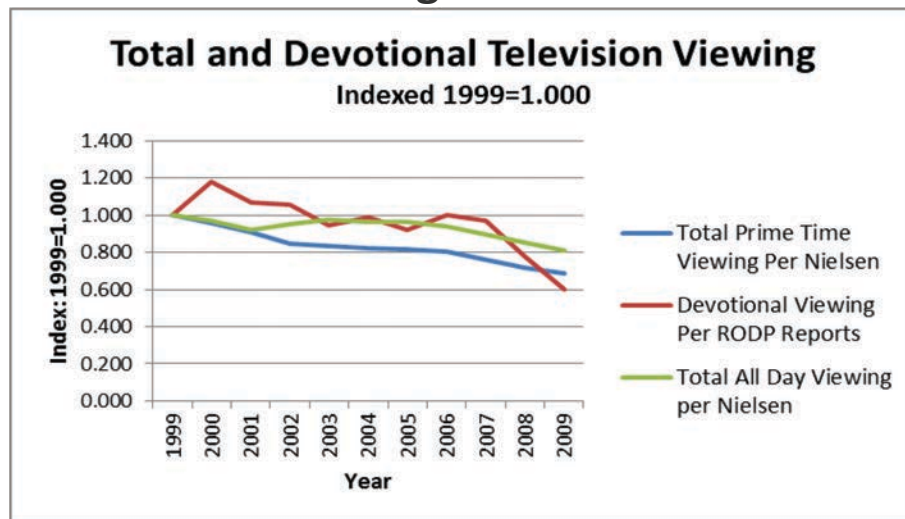
I will now address the additional issues raised by the Judges. Much of my commentary is drawn from two spreadsheets entitled "Satellite Viewing History" and "Cable Viewing History".

ADDITIONAL ISSUES COVERED IN RE-OPENED CASE

III. How relevant is the impact of changing viewing habits between 1999 and 2009?

As shown in Figure 1, there has been gradual erosion in the size of the viewing to traditional broadcasters. In Figure 1, both total prime-time and all-day audiences for the television industry, as well as the devotional audience, have been indexed to 100 in 1999, the first year under consideration in this proceeding. As shown in Figure 1, viewing to devotional programming has followed a trend that is consistent with viewing of the television industry, in general. This index is based upon total viewing, which includes cable, satellite, and over-the-air, both distant and local signals.

Figure 1



Source: Nielsen Media Research.

However, the implementation of digital technology in the cable and satellite industries and the resulting expansion in channel line-ups for pay television subscribers is not material to the computation of the relative fair market value of distantly received devotional programming for the purposes of a Phase II distribution of royalty funds. First of all, the determination of a

royalty distribution in a Phase 2 proceeding takes place in a closed ecosystem. In other words, it is my understanding that the *percentage* share within a closed ecosystem of distant signal viewing of devotional programs on cable and satellite systems is the relevant measure. Whether the pie is expanding, contracting or flat is immaterial because relative value is defined as a percentage, not an absolute amount.

Additionally, as shown in Figures 2 and 3, which reflect the allowed cable and satellite claims in these proceedings, respectively, household delivery of the programs claimed by the SDC and IPG, has been remarkably stable over the time periods in question. In other words, even on an absolute basis, the popularity of the programs claimed by the SDC and the IPG was not diluted by increased channel capacity offered by cable or satellite systems or other technological changes. In the cable category, the programs claimed by SDC claimants have consistently generated between 2 million and 3 million viewing households on an annual basis within the Nielsen RODPs, while the IPG claimants have generated a fraction of that number of households, between approximately 250,000 and 400,000. Similarly, in the satellite category, programs claimed by SDC claimants consistently generated households in the 2 million to 3 million range within the Nielsen Reports (the RODPs), whereas the IPG claimants were in the range of 250,000 to 400,000 households after 2001, when Jack Van Impe was added as a new claimant.

In sum, the SDC claimants comprise the programs that tend to attract the largest and most loyal audiences, including *Hour of Power* and *In Touch*. Loyalty is measured by the programs that, in general, generate large audiences year after year. Remarkably, by 2009, programming represented by the SDC accounted for 2/3 of all measured viewing reported in the RODPs in the devotional category nationwide (including both claimed and unclaimed programs),

while the IPG-represented devotional claimants accounted for less than 10%. The balance of approximately 25% is attributable to programs which are not associated with royalty claims. Comparing only claimed programs, the nationwide viewing of SDC programming consisted of 87% of viewing of all claimed devotional programs in 2009, and almost 90% over the entire 1999-2009 period.

Figure 2

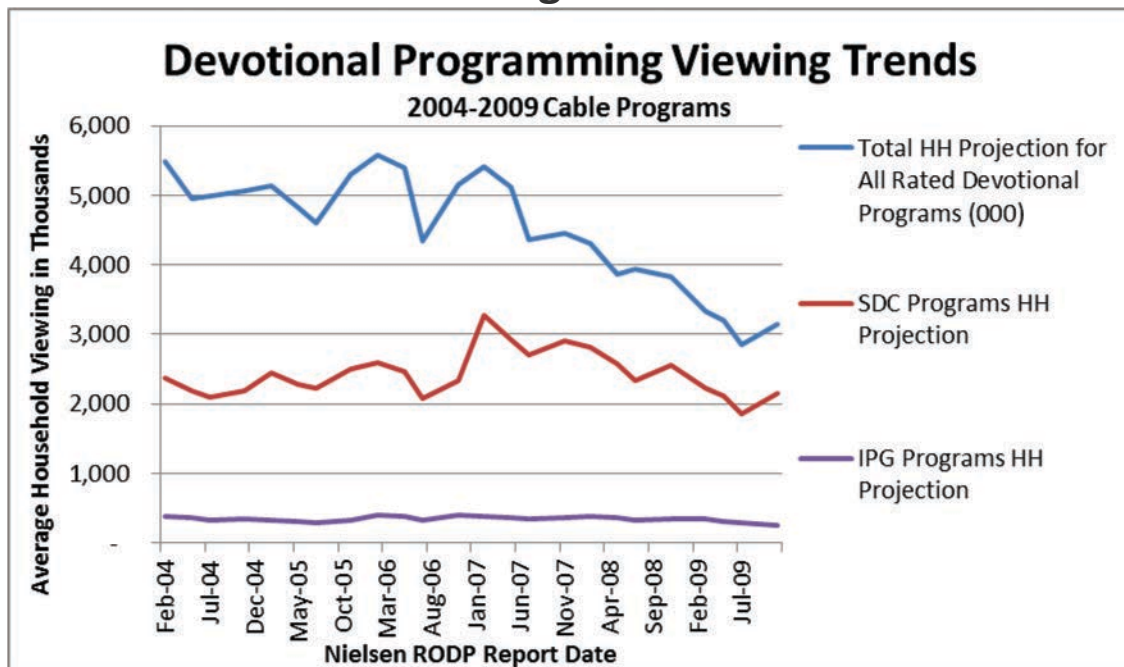
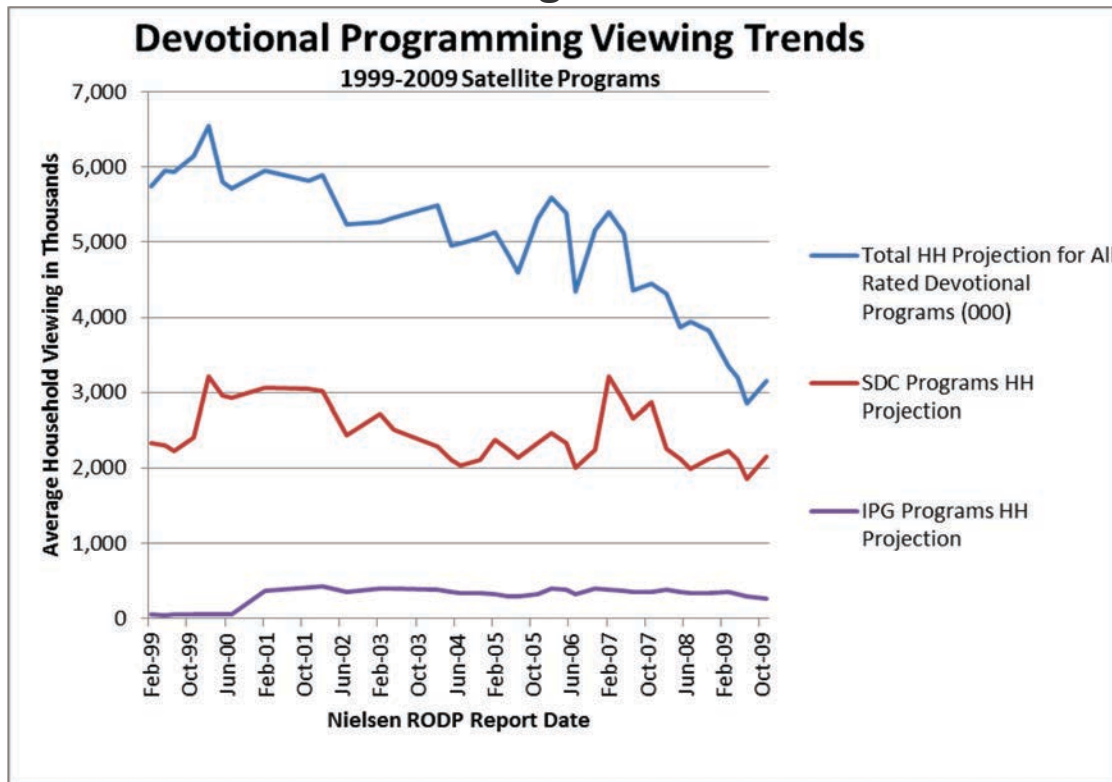


Figure 3



A closer inspection reveals information about devotional programming that explains the patterns in the figures above. I will first describe the information in the Satellite Viewing History spreadsheet, which closely mirrors the data in the Cable Viewing History spreadsheet.

First, the devotional category tends to be dominated by a relatively small number of important programs. Based upon the viewing for every RODP book and summary that was located for the time period in question (37 out of a possible 44), aggregate average viewing of 58.2 million households was measured. Of this, only 10 programs out of 111 accounted for the preponderance, 61%, of the viewing. Of these, most are SDC claimants, including Hour of Power (#1), In Touch 30 (#2), Joel Osteen (#3), Dr. D. James Kennedy (#4), 700 Club (#7), and Day of

Discovery (#9). Only one of the Top 10 programs, James Robison – Life Today (#5) is an IPG claimant.

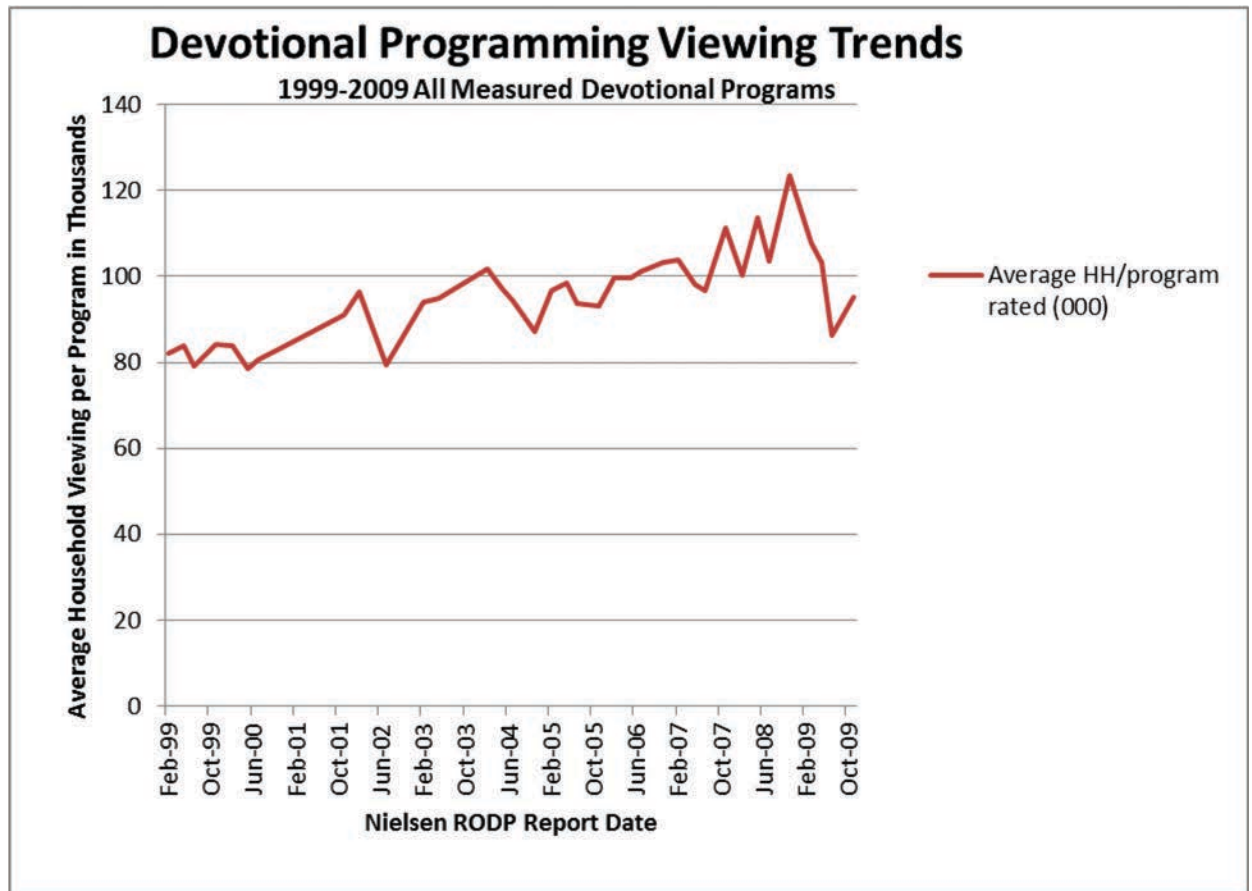
Similarly, a minority of programs exhibited longevity. Of the 111 programs, only 20 appeared in every available RODP report from 1999 through 2009. Of these, 9 are SDC claimants and only 2 are devotional entities for which IPG still has allowed claims in some of those years. Although the total number of measured programs declined from 70 to 33 over the time period, it is important to note that most of the attrition related to a multitude of unstable and less highly viewed programs. There is often a story behind the numbers. The decline late in the decade of Coral Ridge Hour (also reported as Dr. D. James Kennedy) may be attributed to the failing health and then death of Dr. Kennedy in 2007. Similarly, the ascendancy and high household viewing of Joel Osteen is a manifestation of Mr. Osteen’s innovative approach to televangelism, which has made his Lakewood Church the largest “megachurch” in the United States and his program the most highly viewed devotional program in history.

The situation is similar for the devotional viewing in the cable category. Of the 81 programs that received measurable audiences, the top 10 accounted for 66% of the total viewing. Of these, seven were SDC programs and only one, Jack Van Impe, was associated with IPG. The number of rated programs fell from 54 to 33 between 2004 and 2009, but the programs lost were largely unstable and more poorly rated programs. Of the 23 programs that showed uninterrupted and enduring viewership over the full seven year period, almost half (10) were SDC claimants while two were IPC claimants.

The flip side to the observation that much of the decline in viewing was due to the loss of marginal programs is that viewing on the surviving programs, particularly those associated with

the SDC, continued to be robust during this period. The average measured viewing per devotional program, as shown in Figure 4, remained in the 80,000 to 120,000 household range during the period, and showed no discernable weakening trend.

Figure 4



The information in the spreadsheets highlights the importance of audience measurements in the determination of the value or the relative value of television programming. The highest rated programs tend to be the most enduring. As with larger and more enduring audiences, these programs have the most relative value for a myriad of purposes, including for the specific purpose of attracting subscribers to a cable system. As discussed in earlier

proceedings, this relationship is particularly important in the case of homogenous programming that attracts a similar audience, like devotional programming.

In short, the devotional category has not exhibited audience erosion patterns that are noticeably different from the television industry as a whole. Within the devotional category, absolute viewing to the SDC's programs has been stable and highly dominant, not just relative to these proceedings, but in the entire universe of devotional programming. While the IPG-claimed programming also exhibited relatively stable viewing, the measured viewing was much less significant.

IV. How relevant is the impact of relying only on February RODP reports?

As discussed earlier, in response to the Judges' request, the SDC were able to acquire additional reports so that at least the R-7 summary page is available for each of 37 out of the 44 quarters encompassed in the 1999-2009 time frame. New data includes May 1999, July 1999, November 1999, May 2000, July 2000, November 2001, July 2002, and May 2003. The additional data did not, in my opinion, reveal any anomalies or deficiencies in the data. In fact, to the contrary, audience measurements were in general quite stable from period to period, with the ranks of the programs staying relatively consistent despite the fact that Nielsen changes the survey sample each quarter. As shown in the charts above and in the associated spreadsheets, viewing proceeded logically from period to period, particularly for the top programs.

These four "sweep" periods are particularly important for local television stations, cable and satellite pay-television systems, and advertisers. Each year, Nielsen processes more than 2 million diaries from DMAs nationwide and uses electronic metering in the 56 largest television markets to compile information about viewing behavior. Seven-day diaries are distributed to a

different household sample each week during a sweep month. Because of the large sample size and the employment of a methodology that is both consistent and rigorous, the sweeps are the primary basis upon which programming and advertising decision are made, and were so in the 1999-2009 time frame. In fact, many television programmers air their most competitive shows during sweep months in an effort to drive ratings. Conversely, these ratings also form the basis for which programs are terminated.

Nielsen also compiles non-sweep, meter-only data during other months of the year. This data tends to be less influential because it is limited to the largest markets (therefore comprising a non-random and non-representative sample of nationwide viewership) and uses smaller samples.

It is also important to understand that diaries and meters measure different, although related, things. Diaries measure viewership as reported by actual viewers, whereas meters measure only whether the television is on. There are many households in which the television is kept on “in the background,” or even overnight, even though nobody is watching. Meters register this as “viewing,” whereas diaries generally do not. Diary data is therefore a better measure of what programming viewers (and therefore subscribers) actually value.

Metered data ratings in non-sweep months are therefore regarded in the industry as far inferior to diary ratings in sweep months. On the whole, I would prefer to have only one or a few months of diary data each year from all DMAs, such as is provided in the RODPs, than 12 months of metered data each year from an incomplete, non-random, and non-representative sample of DMAs for the largest markets that does not effectively distinguish whether viewers are actually watching.

V. How relevant is the impact of relying only on 1999 data to establish the relationship between local viewing and distant viewing?

As I have testified previously, devotional programming is a critical component of any menu of offerings by a cable or satellite system. Similarly, the importation of distant signals, which often contain devotional programs, is also an important component of the menu of services offered by cable and satellite system operators. However, due in part to the fact that these components are comparatively small relative to categories such as sports and syndicated programming, data relating to them is also somewhat limited. HHVH data regarding distant signal viewing is not available after 2003. Despite extensive efforts by the SDC to obtain out-of-market viewing data (including multiple conference calls with Nielsen in which I was a participant), Nielsen was unable to provide any information in this regard for the years at issue in these proceedings.

The lack of available data in this regard is telling. Real life market participants do not have access to, and do not generally rely upon, information relating to out-of-market viewership. There is no reason to suspect that hypothetical market participants in a hypothetical market would behave differently in this regard. In short, in-market viewership is widely regarded as a reasonable basis to evaluate how a program or station will perform out-of-market. As I have testified before, there is an economic limit to the value of more information. Rational buyers and sellers of programming cannot and will not expend unlimited resources to obtain data to evaluate transactions. They obtain the best information available at a reasonable price, and then make the best decision that they can based on the information they have.

Viewership generally translates well from market to market, both in and out of market. The reason is obvious and well-known to the industry – absent some peculiar connection to a

local market, the same factors that make a program popular in a local market also tend to make a program popular in distant markets.

Every component of information that is available confirms this understanding, and supports a strong and statistically significant relationship between local and distant signal viewing.

For example, an analysis contained in my Direct Statement in the Phase II Distribution of the 2000-2003 Cable Royalty Funds on Remand compared the RODP and HHVH data for the years 2000-2003 and calculated a strong correlation between local and distant viewing measurements for the same programs.

I have also reviewed the testimony of Erkan Erdem, Ph.D. in this matter. Dr. Erdem's analysis validates the strength of this relationship using a regression methodology.

The linkage between local and distant viewing, while supported by the quantitative data described above, also comports with my professional experience and the application of common sense. Participants in actual television, cable, and satellite economic decisions must inevitably make decisions based upon limited data. Nielsen data, primarily the quarterly sweeps reports and customized data such as the RODP reports, is the primary source of data for decisions related to program selection and scheduling. Survey data is often used to support decisions outside of the specific market where the data is collected. For example, a program that performs well in ten markets may be expected to perform well in a distant market with similar characteristics. Due to the heavy reliance placed on Nielsen data for a variety of purposes in the broadcasting, cable, and satellite industries to make real marketplace decisions, there is no reason to believe that it will be any less authoritative in the hypothetical marketplace for specific programs

distributed distantly on cable and satellite systems. This relationship explains why, in part, companies will “test market” products and programs in certain geographic markets before distributing them in others.

VI. Revised Year-By-Year Allocation in Cable and Satellite Categories

Based upon the additional information received in this matter, the analysis conducted by Dr. Erdem, and my own professional experience and opinion, the relative fair market value of the SDC and IPG claimed programming in the cable and satellite categories is as follows:

Cable

Year	2004	2005	2006	2007	2008	2009
IPG	10.9%	10.8%	12.5%	7.6%	9.8%	10.0%
SDC	89.1%	89.2%	87.5%	92.4%	90.2%	90.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Satellite

Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
IPG	0.0%	0.0%	1.2%	1.5%	2.8%	1.2%	1.6%	8.8%	2.9%	Resolved	2.1%
SDC	100.0%	100.0%	98.8%	98.5%	97.2%	98.8%	98.4%	91.2%	97.1%	Resolved	97.9%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

ISSUES COVERED IN ORIGINAL CASE

VII. Relevance of Audience Measurements for Establishing Relative Fair Market Values for SDC and IPG Programming

Over the course of over thirty years providing valuation assessments in connection with media and communications, I have looked at a wide range of industry criteria for assessing program valuation. For the purpose of providing testimony to assist in addressing the task of the

Judges in the instant proceeding, namely to allocate shares of compulsory royalties collected by the Copyright Office from cable systems for the retransmission of the SDC devotional programs and IPG-represented devotional programs on broadcast signals on a distant basis, I based on my testimony on my professional experience in valuing content, on the CRJs 2000-2003 Phase II Final Determination and the expert reports of Mr. Erdem and Ms. Berlin. To allocate reasonably the available funds between SDC and IPG in this proceeding, it is my opinion that audience measurements relying on surveys conducted by Nielsen, together with data from the Copyright Office records, compiled by CDC, are the best available tools to determine shares.

One of the reasons that cable and satellite operators value devotional programming as a category is that it appeals to a class of potential subscribers who are not necessarily captured by other programming, like sports or movies, for instance. The programs claimed within the category of devotional programming are directed predominantly to a Christian audience, and can therefore be thought of as homogenous in terms of the subscriber base to which they are likely to appeal. In my opinion, where programs are homogenous, the most salient factor to distinguish them in terms of subscribership is the size of the viewing audience. A religious program with a larger audience is more likely to attract and retain more subscribers for the cable system operator, and is therefore of proportionately higher value. Nielsen ratings data is the currency of the broadcast, satellite and cable industries, and it is generally regarded as the most reliable available measure of audience size.

I reviewed the testimony of Ms. Berlin, which was prepared in connection with this satellite royalty proceeding. Ms. Berlin's testimony validates the foregoing and demonstrates

the importance or ratings data to determine the relative value of certain programs when satellite television companies are developing their channel offerings.

VIII. Role of Viewing Broadcast Signals in the Satellite Television and Cable Industries

The signals covered by this proceeding represent a small component of the program offerings of satellite television companies to their subscribers. Nevertheless, television signals have been essential to attract and keep pay television subscribers. By 1999, as Ms. Berlin explains, satellite television companies, active competitors to cable, first gained the ability to carry local programs, which greatly expanded the competitive strength of these operations. Between 1999 and 2009, satellite television operators expanded service greatly, with broadcast signals playing a meaningful role in that expansion. Even as they too reached tens of millions of paying subscribers, satellite operators, like their cable competitors, determined that it is still beneficial to retransmit broadcast signals, principally because enough subscribers watched the programs on the channels and the operators were concerned that dropping of signals could adversely affect the appeal of satellite services to subscribers.

In the context of this proceeding, satellite and cable operators pay on a compulsory basis for the right to carry the entire broadcast day of a distant over-the-air television channel. As such, while satellite and cable operators give consideration to specific programs on a local television channel in making a decision as to whether or not to carry it, there are no transactions involving specific programs.

For this reason, there is no “free market” for the purchase of the rights to copyrighted programs broadcast in distant markets. If there were, it would be a relatively simple matter to sum up the amounts paid by satellite operators in individual arms-length transactions for

programs received from broadcast signals in order to determine the relative fair market value of programming provided by particular groups of claimants.

Such an approach is not possible because transaction data regarding individual programs is not available. It is necessary for an appraiser to develop an alternative methodology to determine the relative fair market value of devotional programs carried over broadcast signals. Fortunately, ratings data is available from widely accepted organizations like Nielsen. Local viewing data is routinely employed in the broadcasting and pay television industries to facilitate a multitude of practical decisions, ranging from pricing advertising and determining the cost of syndicated programs to establishing the value of a pay television network and measuring the payback on a capital investment. As the CRB determined in the 2000-2003 case, local viewing data, when measured with distant signal subscribership information, can be a surrogate for viewing of content on a distant basis. Except for special studies ordered by the Motion Picture Association of America (“MPAA”) in other royalty cases, there is no readily accessible information about viewership in such a specialized market.

A notable exception to the requirement that cable and satellite operators retransmit broadcast programming precisely as telecast locally must be mentioned. The exception is WGN America (“WGNA”), the most widely carried “superstation,” whose local signal is WGN-TV, Chicago, Illinois. By virtue of widespread carriage on DirecTV, DISH, and thousands of cable systems across the country and its manner of delivery, WGNA has established a practice of substituting for some of its local programming at the satellite uplink, thereby creating a different programming package for pay television operators and their subscribers than is available to TV viewers of WGN in Chicago. This disparity has a devotional program corollary, because WGNA

substitutes a substantial number of devotional programs for certain local fare. As a result, while religious programming constitutes an important core of WGNA broadcast day, and serves a particularly important niche audience, the bulk of religious programming carried by WGNA is not compensable under the compulsory licensing rules.

IX. Nielsen Reports on Devotional Programs

In its data reporting on viewing of religious television programming for the years in question in this matter, Nielsen produced a quarterly report called Report on Devotional Programs (previously defined as “RODP”). These reports select a substantial, but not exhaustive, list of religious programs and provide detailed data on the viewing of the programs both in local markets and nationally.

Nielsen imposes restrictions on the devotional programs and stations that are included in the quarterly RODPs. These include the following:

- a. The program must be taped or on film and available on a market-by-market basis.
- b. It must be broadcast in at least five Nielsen Station Index (“NSI”) markets.
- c. It must be scheduled on a reportable commercial television station.
- d. It must at the same time and day in at least two of the four weeks.
- e. A station qualifying for a “mini-series” must air at least two times per week.
- f. Foreign language syndicated programs are excluded.
- g. A station must have telecast the devotional program on at least three different days for Monday through Friday programs.

There are certain programs in the devotional category which, while they may be quite popular and generate significant audience ratings, do not appear in the RODPs because they do

not meet the reporting criteria. Examples might be Christmas and Easter specials, Spanish-language programming, or monthly specials. Consequently, any determination of the relative fair value of the distant signal programming related to the Phase II devotional parties may be subject to adjustment to reflect the audiences attributable to these programs.

X. Relative Valuation Methodology

In order to develop relative fair market values for devotional programming, the SDC retained Erkan Erdem, Ph.D. of KPMG to assess the Nielsen rating data and the CDC distant viewing data. The report of Dr. Erdem, attached to the SDC direct case, provides the details of his methodological analysis. I fully endorse his approach, which relies on a sophisticated assessment of local viewing and distant subscribership as principal tools for allocating shares. Further, as Dr. Erdem explains, special handling of WGNA devotional programming is required due to the limited amount of compensable, retransmitted devotional content as a percentage of all available religious programming on WGNA.

XI. Conclusions

Because all the IPG programs that are compensable are known, an application of the methodology described in Dr. Erdem's testimony, can be made.

Based upon actual practices in the broadcasting and pay television industries, it is clear that any methodology must reflect the popularity of the two groups of devotional programming. Nielsen and distant subscriber data are the key tools to measure each compensable program's popularity and, hence, its value. This methodological approach comports with the procedures that are actually employed by broadcasters and satellite companies to make programming decisions.

The methodology in Dr. Erdem's report comports with these requirements and, as such, represents a reasonable and fair methodology for establishing the relative fair market values of the programs represented by the IPG and the SDC. As Dr. Erdem has calculated, the SDC programs delivered higher Nielsen ratings (the most important measure of audience delivery and popularity in the television industry) in every single quarterly measurement over the 1999-2009 period. To ignore this qualitative difference would undermine the very concept of value, and risk assigning the same value to filler and unpopular programming as to the programs that attract the largest and most loyal audiences. As a consequence, the following royalty allocation represents a fair and reasonable basis for the allocation of royalties between the SDC and IPG claimants³:

Cable

Year	2004	2005	2006	2007	2008	2009
IPG	10.9%	10.8%	12.5%	7.6%	9.8%	10.0%
SDC	89.1%	89.2%	87.5%	92.4%	90.2%	90.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Satellite

Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
IPG	0.0%	0.0%	1.2%	1.5%	2.8%	1.2%	1.6%	8.8%	2.9%	Resolved	2.1%
SDC	100.0%	100.0%	98.8%	98.5%	97.2%	98.8%	98.4%	91.2%	97.1%	Resolved	97.9%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Dr. Erdem also notes in his testimony that certain programs claimed by both the IPG and the SDC are unrated, largely because they may not meet certain Nielsen-stipulated thresholds such as the number of markets reached or the number of times it is transmitted in a given

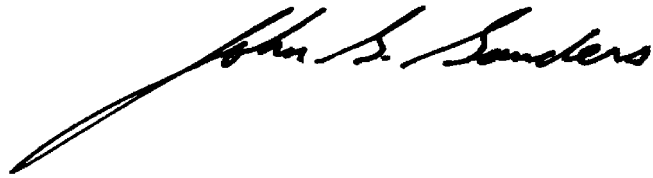
³ Testimony of Erkan Erdem, Ph. D., August 22, 2016, Exhibit 2.

measurement period. A review of the qualified, claimed programs indicates that the amount of unrated programs (while higher for the SDC) are only a minority of total programming. Based on the Nielsen standards for rating programs in the sweep reports, it should be noted that many of the unrated programs are telecast infrequently (monthly or annually), or lack the reach in number of stations to qualify for measurement. As a result, most of these programs are unlikely to generate quantifiable value for satellite operators, because existing or potential subscribers would be unlikely to rely on these unrated programs as a reason to subscribe to a satellite service, or drop a satellite service. Thus, unrated content should have only a marginal impact on the final shares of the SDC or IPG. Nevertheless, because there are more unrated SDC programs than IPG, it is appropriate to view Dr. Erdem's results as the low end of the zone of reasonableness for the SDC and the high end of the zone for IPG. In other words, because the SDC programming comprises a greater share of the unrated programs, any credit for inclusion of that programming should enhance the SDC's overall royalty allocation by a modest amount.

DECLARATION OF JOHN S. SANDERS

I declare under penalty of perjury that the foregoing testimony is true and correct and of my personal knowledge.

Executed: August 22, 2016

A handwritten signature in black ink, reading "John S. Sanders", written over a horizontal line.

John S. Sanders

Appendix A

Qualifications of John S. Sanders

PROFESSIONAL EXPERIENCE AND QUALIFICATIONS

JOHN S. SANDERS

John S. Sanders has over 30 years of experience in media and communications finance. He is a principal in and founder of the firm of Bond & Pecaro, Inc., a Washington based consulting firm specializing in valuations, asset appraisals, and related financial services for the communications industry since 1986.

Mr. Sanders has been actively involved in both fair market valuations and asset appraisals of over 3,000 communications and media businesses. He has been qualified as an expert in valuation matters regarding communications assets in venues including U.S. District Court for the District of Columbia, U.S. Bankruptcy Court for the Southern District of New York, the Court of Chancery of the State of Delaware, and the American Arbitration Association.

He is a member of the American Society of Appraisers and is an Accredited Senior Appraiser ("ASA") in the specialty of business valuation.

Mr. Sanders received a B.A. Cum Laude in Economics and International Studies (Honors) from Dickinson College. He also holds a Master's Degree in Business Administration from the University of Virginia in Charlottesville, Virginia.

John S. Sanders

Speaking Engagements, Publications, and Expert Testimony

Speaking Engagements

1. Cellular Telecommunications Industry Association, "Finding the Money Tree: Sources of Cellular Financing," First Annual Convention, Washington, D.C., May 29, 1985. Speech on effective business plan preparation and financing an acquisition.
2. National Association of Broadcasters, Radio Acquisition Seminar, Chicago, Illinois, October 25, 1985. Full day panel participation focusing on market evaluation, business valuation, and acquisition strategy.
3. National Association of Broadcasters, Radio Station Acquisition Seminar, New York, New York, November 1, 1985. Full day panel participation focusing on market evaluation, business valuation, and acquisition strategy.
4. National Association of Broadcasters, Small Market Radio Acquisition Seminar, Atlanta, Georgia, February 28, 1986. Full day panel participation focusing on market evaluation, business valuation, and acquisition strategy.
5. Cellular Telecommunications Industry Association, "An Acquisitive Industry: Mergers and Acquisitions in the Cellular Industry," Winter Meeting and Exposition, Phoenix, Arizona, January 21, 1987. Panel discussion on business valuation techniques and specific value trends in telecommunications.
6. FCC Week and BOC Week Washington Seminar, "Techniques for Valuing Cellular Franchises in Rural Service Areas," Presentation at conference entitled Business Opportunities in Rural Telecommunications: The Next Frontier, Washington, D.C., May 29, 1987.
7. Harrison, Bond & Pecaro Private Briefing on Media Financial Issues, Presentation on television network affiliation agreement valuation, Watergate Hotel, Washington D.C., December 14, 1987.
8. Cellular Telecommunications Industry Association, "Strong Signals From Wall Street," 1988 Winter Meeting and Exposition, San Diego, California, January 25, 1988. Speaker on panel on how the financial community views cellular.

John S. Sanders

Speaking Engagements, Continued

9. FCC Week and BOC Week Washington Seminar, "Market Analysis in Rural Service Area Cellular Telecommunications Systems," Presentation at conference on rural telecommunications issues, Washington, D.C., March 22, 1988.
10. Broadcast Financial Management Association, "The Impact of Proposed Tax Code Changes on Broadcast and Cable Values," 28th Annual Conference, New Orleans, Louisiana, April 18, 1988.
11. Phillips Publishing, Inc. Washington Seminar, "Valuation of Mobile Telecommunications Companies," Conference on buying, selling, and investing in mobile telecommunications, Washington, D.C., June 9, 1988.
12. Cable Television Property and Sales Tax Group, "Methods of Valuation in Property Taxes," Chicago, Illinois, September 27, 1988.
13. Telocator Spring Convention, Moderator, Panel entitled "Optimizing an Acquisition: Tax & Depreciation Issues," Orlando, Florida, May 1989.
14. Telocator 41st Annual Convention & Exposition, "Tax and Financial Reporting Issues in Acquisitions," Washington, D.C., October 7, 1989.
15. Telocator Spring International Convention, Moderator, Panel entitled, "The Financial Future of Cellular Telecommunications," San Diego, California, March 23, 1991.
16. Mobile Communications North America Exposition, Moderator and Speaker, Panel entitled "Site Acquisition and Management," Toronto, Canada, April 25, 1991.
17. Mobile Communications Marketplace, Moderator and Speaker, Panel entitled "Investment Outlook for Mobile Communications," Anaheim, California, October 23, 1991.
18. The Future of Paging, Moderator and Speaker, Panel entitled "Financing for Paging Growth," Washington, D.C., April 3, 1992.
19. Mobile Communications Marketplace, Moderator and Speaker, Panel entitled "Tax Issues in the 1990s," San Francisco, California, September 24, 1992.

John S. Sanders

Speaking Engagements, Continued

20. The Future of Paging II, Moderator and Speaker, Panel entitled "Dollars and Sense: The Financial Future of Paging," Washington, D.C., June 25, 1993.
21. National Association of Broadcasters, Speaker, Panel entitled "Broadcasters and Taxation: New Benefits...and New Liabilities?" Las Vegas, Nevada, March 22, 1994.
22. Personal Communications Industry Association PCS Summit, Speaker, Panel entitled "Service Requirements for PCS: A Financial Perspective," Arlington, Virginia, June 24, 1994
23. Mobile Communications Marketplace, Speaker, Panel entitled, "Facts and Figures: Forecasting the Future of PCS," Seattle, Washington, September 22, 1994.
24. National Association of Broadcasters, Speaker, Panel Entitled "Buying and Selling Broadcast Stations in a Changing Regulatory Environment", Las Vegas, Nevada, April 12, 1995.
25. National Association of Broadcasters, Panel Entitled "Tax Reform School - The Impact of Proposed Tax Reforms of Broadcasting Station Values", Las Vegas, Nevada, April 6, 1998.
26. National Association of Broadcasters, Broadcasting Conference for the Americas, Panel Entitled "Station Valuation Techniques and Trends", Miami, Florida, August 26, 1999.
27. National Association of Broadcasters, 1999 Radio Show, Panel Entitled "Investing in Latin America", Orlando, Florida, September 1, 1999.
28. National Association of Broadcasters, Broadcasting Conference for the Americas, Panel Entitled "Buying and Selling a Station in Broadcasting", Miami, Florida, August 16, 2000.
29. National Association of Broadcasters, Broadcasting Conference for the Americas, Moderator of Panel Entitled "Investing Partners - Looking Beyond Boundaries", Miami, Florida, July 25, 2001.
30. Web Hosting Expo, Moderator of Panel Entitled "Venture Capital Looks at Web Hosting", Washington, DC, August 21, 2001.

John S. Sanders

Speaking Engagements, Continued

31. National Association of Broadcasters, Presentation Entitled "Broadcasting Valuation in an International Environment", Las Vegas, Nevada, April 7, 2002.
32. United States Telecom Association, Presentation Entitled "Telecommunications Valuation in an International Environment," Briefing to Egypt Telecom Delegation, September 23, 2002.
33. Broadcast and Cable Financial Management Association, Presentation Entitled "What's It Worth? Media and Communications Valuation Techniques and Trends in Mid-2004," Atlanta, Georgia, May 16, 2004.
32. National Association of Broadcasters, Ownership Forum, Las Vegas, Nevada, April 15, 2007.
33. National Association of Broadcasters, Ownership Forum, Las Vegas, Nevada, April 13, 2008.
34. Minority Media & Telecom Council, Financial and Procurement Forum, Washington, DC, July 21, 2009.
35. Media Financial Management Association, Moderator and Presenter on Newspaper Valuation Panel, Presentation on Public and Private Values of Newspaper Companies, Nashville, Tennessee, May 24, 2010.
36. Media Financial Management Association, Moderator and Presenter on Newspaper Valuation Panel, Presentation on Public and Private Values of Newspaper Companies, Atlanta, Georgia, May 16, 2011.
37. Media Financial Management Association, Moderator and Presenter on Newspaper-Broadcast Cross-Ownership, Presentation on Attrition of FCC-Permitted Newspaper-Television Cross-Ownership entities, Las Vegas, Nevada, May 22, 2012.
38. Media Financial Management Association, Moderator and Presenter on Newspaper Mergers, Acquisitions and Valuation Panel, Presentation on Valuation Trends and Merger Activity, Las Vegas, Nevada, May 23, 2012.
39. Media Financial Management Association, Presenter on FCC's Broadcast Incentive Auction Panel, Presentation of Spectrum Economics and Auction Strategies, New Orleans, Louisiana, May 20, 2013.

John S. Sanders

Speaking Engagements, Continued

40. Media Financial Management Association, Moderator and Presenter on Newspaper Mergers, Acquisitions and Valuation Panel, Presentation on Valuation Trends and Merger Activity, New Orleans, Louisiana, May 21, 2014.
41. Media Financial Management Association, Moderator and Presenter on Newspaper Mergers, Acquisitions and Valuation Panel, Presentation on Valuation Trends and Merger Activity, Miami, Florida, May 20, 2014.
42. Media Financial Management Association, Presenter on Economic and Functional Obsolescence in the Appraisal of Personal Property, Miami, Florida, May 20, 2014.
43. Media Financial Management Association, Moderator and Presenter on Newspaper Mergers, Acquisitions and Valuation Panel, Presentation on Valuation Trends and Merger Activity, Phoenix, Arizona, May 19, 2015.
44. Media Financial Management Association, Moderator and Presenter on Newspaper Mergers, Acquisitions and Valuation Panel, Presentation on Valuation Trends and Merger Activity, Denver, Colorado, May 23, 2016.

John S. Sanders

Publications

1. "Cellular Financing for Smaller Players," Telocator, February, 1986.
2. "Valuing Cellular Systems: Techniques and Trends," Telocator, December, 1986.
3. "The Amortization of Intangible Assets: Overview and Current Issues," Handout at Tax Panel, Broadcast Financial Management Association, Boston, Massachusetts, April 27, 1987.
4. "Making the Most of an Acquisition," Telocator, May 1987 Telocator Convention Issue.
5. "A Tale of Two RSAs: Entrepreneurial Opportunities in RSA Cellular Markets," Cellular Business, December 1987.
6. "What's a TV Network Affiliation Worth?" Broadcasting, December 21, 1987.
7. "Cellular's Future and the Laws of Economic Power," Communications, April 1988 International Mobile Communications Expo Issue.
8. "Broadcast Fixed Asset Tax Lives Under Reconsideration," Broadcast Financial Journal, April-May 1988.
9. "Subscriber Management: The Key to Maximizing SMR System Value," SMR Newsletter, June 1990.
10. "Site Lease Management: Steps to Economic Advantage," SMR Newsletter, October 1990.
11. "Legislative and Tax Update," Open Channels, November 1991.
12. "Update on Amortization of Intangible Assets," Broadcast/Cable Financial Journal, February-March 1992.
13. "Changes in Broadcast Station Values Resulting From the 1993 Omnibus Budget Reconciliation Act," Co-authored chapter with Timothy S. Pecaro in 1993 TAX ACT - What It Means, National Association of Broadcasters, 1994.
14. "Inversión en televisión en el ámbito interamericano," TV y Video LatinoAmerica, April 2000.

John S. Sanders

Publications, Continued

15. Co-Editor, The Television Industry: Market-By-Market Review, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, and 2016 Editions. 450 page reference volume containing detailed market data and projections for over 200 television markets.
16. With Harmeet K. Dhillon, "The New Gold Rush? Wireless opportunities for colleges and universities through EBS broadcast spectrum leases", University Business, October 2007.
17. "Financial and Accounting Considerations for Acquisitions," Chapter in Understanding Broadcast and Cable Finance, Chicago: Broadcast and Cable Financial Management Association, 2008.
18. "How Stations Can Reclaim Their Value," TVNewsCheck, www.tvnewscheck.com, July 15, 2009.
19. "Kill TV-Newspaper Crossownership Rule, Now," TVNewsCheck, www.tvnewscheck.com, June 27, 2012.
20. "The Good, The Bad, and the Opportunity: The tables are turning as investors purchase newspaper properties and reposition their operations for profitability," The Financial Manager, September/October 2012.
21. "Newspapers Round a Bend," The Financial Manager, November-December, 2013.
22. "Current Valuation Issues: Opportunities and Pitfalls on the Road to the Television Spectrum Auction," Bond & Pecaro, Inc., White Paper, December 2013.
23. "Compressed Press Values: Some newspaper managers fail to realize that they are valuing their printing assets inaccurately," The Financial Manager, July/August 2014.
24. "An Auction Like No Other: The World's Largest and Most Complex Auction is About to Take Place, and there are Billions of Dollars to be Gained, or Expended," The Financial Manager, November/December 2015.

John S. Sanders

Expert Testimony and Sponsored Exhibits

1. Radio Telephone Systems, Inc. v. Metronet, Inc., American Arbitration Association, AAA #11 119 00070 91. Testimony regarding changes in the financial condition of a radio paging business.
2. All City Communications Co. v. Industrial and Commercial Communications Services, Inc., Milwaukee County, Wisconsin Circuit Court, 91-CV-003745. Testimony regarding the value of radio paging systems.
3. Capobianchi v. Foster, U.S. District Court, District of Columbia, 89-0936 NHJ-PJA. Testimony regarding the fair market value of a cellular telephone system and related economic issues.
4. O. R. Estman, Inc. d/b/a Satellite Paging v. Tel-Air Communications, Inc., et. al., U.S. District Court, District of New Jersey, 91-5273(HCL). Testimony regarding the economics of the radio paging industry.
5. Cellular Information Systems, Inc., C.I.S. Operating Company-1, Inc., et. al., Debtors, U. S. Bankruptcy Court, Southern District of New York, Case Nos. 92 B 45024 through 92 B 45037 (BRL) (Jointly Administered). Testimony regarding the value of cellular telephone systems in five metropolitan markets and three rural service areas, and related economic issues.
6. Application of Vertical Broadcasting, Inc., Town Board, Southampton, New York, May 31, 1996. Testimony regarding the future of the communications industry and other issues related to the construction of a 360' multi-user communications tower.
7. US Mobilcom, Inc., et. al. v. Jean Warren, et. al., U.S. District Court, Western District of Oklahoma, CIV-94-1582-M. Testimony regarding the value of a nationwide 220 mHz mobile radio license and related economic issues.
8. Western States Wireless, Ltd. vs. Gerald Stevens-Kittner, U.S. District Court, Eastern District of Virginia, Civil Action No. 96-1513-A. Testimony regarding the value of applications for Instructional Television Fixed Service ("ITFS") and related economic issues.
9. CenCel, Inc., MCT Cellular, Inc. and SCC Cellular Telephone Corporation v. Contel Cellular, Inc., SS Superior Court, Hillsborough County, State of New Hampshire, Northern District Case No. 96-E-126. Testimony regarding the value of a cellular telephone system and related economic issues.

John S. Sanders

Expert Testimony and Sponsored Exhibits, Continued

10. In re: Personal Communications Services World Corporation, Debtor, United States Bankruptcy Court for the District of Nevada, Bankruptcy No. 99 BK-N-31344. Testimony regarding the value of a specialized competitive local exchange carrier and related economic issues.
11. AirTouch Paging, Inc. vs. US West Communications, Inc., United States District Court for the District of Colorado, Civil Action No. 99-WM-12. Testimony regarding valuation and related economic issues in the paging industry.
12. Interstate Cellular Holdings, Inc. vs. Radiofone, Inc., American Arbitration Association, Philadelphia, Pennsylvania, Case No. 14 Y 181 00138 00 F. Testimony regarding the value of a cellular telephone system and related economic issues.
13. In re: WebLink Wireless, Inc., Debtor, United States Bankruptcy Court for the Northern District of Texas, Dallas Division, Bankruptcy No. 01-34275-SAF-11. Testimony regarding the liquidation of value of wireless messaging and related telecommunications equipment.
14. In re: United States Cellular Operating Company, Court of Chancery of the State of Delaware in and for New Castle County, Civil Action No. 18976 NC. Testimony regarding the value of two cellular telephone systems.
15. Paul L. Kozel, et al v. Kent S. Foster and Concho Cellular Telephone Company, Inc., American Arbitration Association, AAA #16 168 00391 02 and #70 168 00390 02. Testimony regarding the value of a cellular telephone system and related economic issues.
16. WideOpenWest, LLC. Board of Assessment Appeals. Jefferson County, Colorado. Schedule# 976855. Docket# 40405. Testimony regarding the state of the broadband industry and the value of cable television, Internet, and telephony assets.
17. In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities: TRS Fund Size and Payment Formula, Federal Communications Commission, CC Docket 98-67, May 12, 2005. Comments on the appropriateness of calculations regarding the Video Relay Service ("VRS") provider reimbursement rate and related qualitative factors.

John S. Sanders

Expert Testimony and Sponsored Exhibits, Continued

18. Broadcast Music, Inc. vs. Weigel Broadcasting Co., United States District Court, Southern District of New York, No. 04 Civ. 09205 (LLS). Testimony regarding economic factors in the television industry and calculation of music rights fees.
19. Alltel Communications of Michigan RSAs, Inc. vs Cass Cellular Limited Partnership (AAA Case No 54 494 00212 10). Expert report and deposition in connection with a dispute between partners in a cellular telephone system regarding system values, revenue recognition practices, and related economic issues.
20. B&L Cellular, et. al. v. USCOC of Greater Iowa, LLC (as successor in interest), and United States Cellular Corporation, Court of Chancery for the State of Delaware, C.A No. 7628-VCL, Deposition testimony regarding the value of a cellular telephone system.
21. The Denver Post, LLC v. Adams County Board of Equalization, Docket Nos. 62566 and 62567 (Consolidated), Tax Year 2013. Testimony regarding the value of printing, distribution, and robotic delivery systems and physical, technological, and economic obsolescence.
22. In the Matter of Phase II Distribution of the 1999 Cable Royalty Funds, Copyright Royalty Judges, Washington, DC, Docket No 2008-1 CRB CD 199 (Phase II). Testimony regarding the relative fair market values of certain programs in the devotional category.
23. In the Matter of Phase II Distribution of 2004-2009 Cable Royalty Funds and In the Matter of Phase II Distribution of 1999-2009 Satellite Royalty Funds, Dockets No. 2012-6 CRB CD 2004 - 2009 (Phase II) and No. 2012-7 CRB CD 2000-2009; 2008-5 SD 1999-2000 (Phase II). Before the Copyright Royalty Judges, Library of Congress, Washington, DC. Testimony regarding the valuation of media assets.

Appendix B

Listing of Settling Devotional Claimants Including Years of Claims

SDC Claimants and Claim Years - Cable

SDC CLAIMANTS	Cable 2004	Cable 2005	Cable 2006	Cable 2007	Cable 2008	Cable 2009
Amazing Facts, Inc.	x	x	x	x	x	x
American Religious Town Hall, Inc.	x	x	x	x	x	x
Billy Graham Evangelistic Association	x	x	x	x	x	
Catholic Communications Corporation	x	x	x	x	x	x
Christian Television Network, Inc. (Christian Television Corporation)	x		x	x	x	x
The Christian Broadcasting Network, Inc.	x	x	x	x	x	x
Coral Ridge Ministries Media, Inc.	x	x	x	x	x	x
Cottonwood Christian Center	x	x	x	x	x	x
Crenshaw Christian Center	x	x	x	x	x	x
Crystal Cathedral Ministries, Inc.	x	x	x	x	x	x
Evangelical Lutheran Church in America	x	x	x	x	x	x
Faith for Today, Inc.	x	x	x	x	x	
Family Worship Center Church, Inc., dba Jimmy Swaggart Ministries	x	x	x	x	x	x
International Fellowship of Christians & Jews, Inc.					x	x
In Touch Ministries, Inc.	x	x	x	x	x	x
It Is Written	x	x	x	x	x	x

SDC Claimants and Claim Years - Cable

SDC CLAIMANTS	Cable 2004	Cable 2005	Cable 2006	Cable 2007	Cable 2008	Cable 2009
John Hagee Ministries, Inc. (aka Global Evangelism Television)		x	x	x	x	x
Joyce Meyer Ministries, Inc. fka Life In the Word, Inc.	x	x	x	x	x	x
Kerry Shook Ministries (aka Fellowship of the Woodlands)						x
Lakewood Church (aka Joel Osteen Ministries)				x	x	x
Liberty Broadcasting Network, Inc.	x	x	x	x	x	x
Messianic Vision, Inc.					x	x
New Psalmist Baptist Church						x
Oral Roberts Evangelistic Association, Inc.					x	x
RBC Ministries	x	x	x	x	x	x
Reginald B. Cherry Ministries	x	x		x		
Rhema Bible Church (aka Kenneth Hagin Ministries)	x	x			x	x
Ron Phillips Ministries	x	x	x	x		x
Speak the Word Church International	x	x	x	x	x	
St. Ann's Media						x
The Potters House of Dallas, Inc., dba T.D. Jakes Ministries	x	x	x	x	x	x
Word of God Fellowship, Inc. dba Daystar Television Network				x	x	x
Zola Levitt Ministries	x	x	x	x	x	x

SDC Claimants and Claim Years – Satellite

SDC CLAIMANTS	Satellite 1999	Satellite 2000	Satellite 2001	Satellite 2002	Satellite 2003	Satellite 2004	Satellite 2005	Satellite 2006	Satellite 2007	Satellite 2008	Satellite 2009
Amazing Facts, Inc.		x	x	x	x	x	x	x	x	x	x
American Religious Town Hall, Inc.				x	x		x	x	x	x	x
Billy Graham Evangelistic Association						x	x	x	x	x	
Catholic Communications Corporation											x
Christian Television Network, Inc. (Christian Television Corporation)			x	x				x	x	x	x
The Christian Broadcasting Network, Inc.	x	x	x	x	x	x	x	x	x	x	x
Coral Ridge Ministries Media, Inc.	x	x	x	x	x	x	x	x	x	x	x
Cottonwood Christian Center		x	x	x	x	x	x	x	x	x	x
Crenshaw Christian Center					x	x	x	x	x	x	x
Crystal Cathedral Ministries, Inc.	x	x	x	x	x	x	x	x	x	x	x
Evangelical Lutheran Church in America				x	x				x	x	x
Faith for Today, Inc.		x	x	x	x						
Family Worship Center Church, Inc., dba Jimmy Swaggart Ministries				x				x	x	x	x

SDC Claimants and Claim Years – Satellite

SDC CLAIMANTS	Satellite 1999	Satellite 2000	Satellite 2001	Satellite 2002	Satellite 2003	Satellite 2004	Satellite 2005	Satellite 2006	Satellite 2007	Satellite 2008	Satellite 2009
In Touch Ministries, Inc.	x	x	x	x	x	x	x	x	x		x
It Is Written		x	x	x	x	x	x	x	x	x	x
John Hagee Ministries, Inc. (aka Global Evangelism Television)		x	x	x	x		x	x	x	x	x
Joyce Meyer Ministries, Inc. fka Life In the Word, Inc.		x	x	x	x	x	x	x	x	x	x
Kerry Shook Ministries (aka Fellowship of the Woodlands)											x
Lakewood Church (aka Joel Osteen Ministries)									x	x	x
Liberty Broadcasting Network, Inc.		x	x		x	x	x	x	x	x	
Messianic Vision, Inc.										x	x
New Psalmist Baptist Church											x
Oral Roberts Evangelistic Association, Inc.	x	x	x								
RBC Ministries		x	x	x	x	x	x	x	x	x	x
Reginald B. Cherry Ministries							x				
Rhema Bible Church (aka Kenneth Hagin Ministries)		x	x	x	x	x	x			x	x
Ron Phillips Ministries								x	x	x	x

SDC Claimants and Claim Years – Satellite

[illegible]

Appendix C

Listing of Program Titles Claimed By Settling Devotional Claimants

SDC Program Titles - Cable

<u>SDC PROGRAM TITLES (CABLE)</u>
Amazing Facts, Inc.
<i>Amazing Facts Presents</i>
<i>Millennium of Prophecy</i>
<i>New Revelation, A</i>
American Religious Town Hall, Inc.
<i>American Religious Town Hall (aka Religious Town Hall)</i>
Billy Graham Evangelistic Association
<i>Billy Graham (aka Billy Graham Special)</i>
<i>Billy Graham Television Specials</i>
<i>Franklin Graham</i>
<i>Ruth Bell Graham</i>
Catholic Communications Corporation
<i>Chalice of Salvation</i>
<i>Real to Reel</i>
Christian Television Network, Inc. (Christian Television Corporation)
<i>All Over the World</i>
<i>Becky's Barn</i>
<i>Bloodstream</i>
<i>Bridges</i>
<i>Christian Fitness</i>
<i>Coffee Club</i>
<i>Herman & Sharron (aka Its Time for Herman & Sharron)</i>
<i>Homekeepers</i>
<i>Joy Junction</i>
<i>Set Free (aka Set Free If You Want to Be)</i>
<i>Times of Refreshing</i>
<i>You & Me(aka America's Prayer Meeting)</i>
The Christian Broadcasting Network, Inc.
<i>The 700 Club (aka 700 Club)</i>
<i>Christian World News</i>
<i>Living the Life</i>
<i>Miracles: Touched By the Hand of God (aka CBN Miracles)</i>
<i>Miracles II - All Things Are Possible (aka Miracles II)</i>
<i>One Cubed (aka 1 Cubed)</i>
<i>Spunky's First Christmas</i>
<i>Spunky's Camping Adventure</i>

SDC Program Titles - Cable

<i>Spunky's Circus Adventure</i>
<i>Micah's Christmas Treasure</i>
<i>Straight Talk</i>
<i>Alabaster's Song</i>
<i>Superbook</i>
<i>Superlibro</i>
<i>Vida Dura</i>
<i>Flying House</i>
<i>Respuestas</i>
<i>Turning Point International</i>
<i>Mundo Cristiano</i>
<i>Agua Viva</i>
<i>Storyteller Café</i>
<i>The Easter Promise</i>
<i>Rescatados del Infierno</i>
<i>The Witness</i>
Coral Ridge Ministries Media, Inc.
<i>The Coral Ridge Hour (aka Dr. James Kennedy; Coral Ridge Hour; Coral Ridge Hour, The; The Coral Ridge Hour with Dr. D. James Kennedy; Coral Ridge Ministries; Coral Ridge Ministry; Coral Ridge; The Coral Ridge Report; Coral Ridge Presbyterian Church; D. James Kennedy; James Kennedy; Dr. D. James Kennedy; Dr. James Kennedy; DJ Kennedy)</i>
<i>Scrooge and Marley</i>
<i>What If Jesus Had Never Been Born?</i>
<i>Who is This Jesus? (aka Who is This Jesus: Is He Risen?)</i>
Cottonwood Christian Center
<i>Answers with Bayless Conley</i>
<i>Bayless Conley</i>
<i>Cottonwood Christian Center</i>
Crenshaw Christian Center
<i>Crenshaw (aka Frederick K.C. Price; Fred Price)</i>
<i>Ever Increasing Faith</i>
Crystal Cathedral Ministries, Inc.
<i>Hour of Power (aka Robert Schuller)</i>
<i>Christmas Eve at Crystal Cathedral</i>
<i>Crystal Cathedral</i>
Evangelical Lutheran Church in America
<i>Davey and Goliath (aka Davey and Goliath's Snowboard Christmas; Davey and Goliath "Happy Easter")</i>
<i>Oh Davey!</i>

SDC Program Titles - Cable

<i>Native Nations: Standing Together for Civil Rights</i>
<i>Introducing Jesus of Nazareth</i>
<i>Hunger No More</i>
<i>Joy to the World</i>
<i>Mosaic</i>
<i>This Holy Night</i>
<i>Uganda: Ready to Forgive</i>
Faith For Today, Inc.
<i>The Evidence</i>
<i>Faith for Today</i>
<i>Lifestyle Magazine</i>
<i>McDougall, MD</i>
Family Worship Center Church, Inc., dba Jimmy Swaggart Ministries
<i>Jimmy Swaggart</i>
<i>Jimmy Swaggart Telecast</i>
International Fellowship of Christians & Jews, Inc.
<i>Blessing Israel</i>
<i>Guardians of Israel</i>
<i>Isaiah 58</i>
<i>Journey to Zion</i>
<i>On Wings of Eagles</i>
In Touch Ministries, Inc.
<i>In Touch 30 with Dr. Charles Stanley (aka In Touch with Charles Stanley; In Touch 30; In Touch (30); Charles Stanley; Dr. Charles Stanley; In Touch Ministries; In Touch Ministry; C Stanley In Touch PAX; First Baptist Atlanta)</i>
<i>In Touch 60 with Dr. Charles Stanley (aka In Touch with Charles Stanley; In Touch 60; In Touch (60); Charles Stanley; Dr. Charles Stanley; In Touch Ministries; In Touch Ministry; C Stanley In Touch PAX; First Baptist Atlanta)</i>
<i>En Contacto (aka En Contacto con Dr. Charles Stanley; En Contacto Charles Stanley; En Contacto 30; En Contacto (30); Charles Stanley; Dr. Charles Stanley; Ministerios En Contacto)</i>
It Is Written
<i>It Is Written</i>
John Hagee Ministries, Inc. (aka Global Evangelism Television)
<i>John Hagee Today</i>
<i>Cornerstone, aka Cornerstone Church</i>
<i>Cornerstone with Pastor John Hagee</i>
<i>The Difference</i>

SDC Program Titles - Cable

<i>The Difference with Pastor Matt Hagee</i>
Joyce Meyer Ministries, Inc. fka Life In the Word, Inc.
<i>Life in the Word</i>
<i>Life in the Word Daily</i>
<i>Enjoying Everyday Life</i>
<i>Joyce Meyer</i>
<i>Joyce Meyer: Enjoying Enjoying Everday Life</i>
Kerry Shook Ministries, aka Fellowship of the Woodlands
<i>Kerry Shook Ministries (aka Pastor Kerry Shook)</i>
Lakewood Church (aka Joel Osteen Ministries)
<i>Joel Osteen (aka John Osteen)</i>
<i>Lakewood Church</i>
<i>Marcos Witt</i>
Liberty Broadcasting Network, Inc.
<i>Old Time Gospel Hour</i>
Messianic Vision, Inc.
<i>Messianic Vision</i>
<i>Sid Roth's It's Supernatural & Messianic Vision (aka It's Supernatural)</i>
New Psalmist Baptist Church
<i>Empowering Disciples</i>
<i>New Psalmist Baptist Church</i>
Oral Roberts Evangelistic Association, Inc.
<i>Chronicles of Faith</i>
<i>Hour of Healing</i>
<i>Miracles Now</i>
<i>Make Your Day Count</i>
<i>The place for Miracles</i>
RBC Ministries
<i>Day of Discovery</i>
Reginald B. Cherry Ministries
<i>Reginald B. Cherry</i>
<i>The Doctor and the Word</i>
Rhema Bible Church (aka Kenneth Hagin Ministries)

SDC Program Titles - Cable

<i>Kenneth Hagin (aka Kenneth Hagin Jr.)</i>
<i>Rhema Praise</i>
<i>Rhema Today</i>
Ron Phillips Ministries
<i>Abba's House</i>
<i>Central Baptist Church</i>
<i>Central Message</i>
<i>Ron Phillips Ministries (aka Ron Phillips)</i>
Speak the Word Church International
<i>The Exalted Word</i>
<i>Randy Morrison</i>
<i>Speak the Word</i>
St. Ann's Media
<i>The Daily Mass</i>
<i>Holy Sacrifice of the Mass</i>
<i>The Mass</i>
<i>Mass on TV</i>
The Potters House of Dallas, Inc., dba T.D. Jakes Ministries
<i>Potter's House, The (aka TD Jakes)</i>
<i>Potter's Touch, The</i>
Word of God Fellowship, Inc. dba Daystar Television Network
<i>Celebration</i>
<i>Check the Sound</i>
<i>Joni Table Talk (aka Joni; Joni Lamb)</i>
<i>Marcus Lamb/Empowered by the Spirit</i>
<i>Gospel Music Showcase</i>
Zola Levitt Ministries
<i>Zola Levitt</i>
<i>Zola Levitt Presents</i>

Source: SDC Listing of Claimants and Program Titles as confirmed by emails.

SDC Program Titles - Satellite

<u>SDC PROGRAM TITLES (SATELLITE)</u>
Amazing Facts, Inc.
<i>Amazing Facts Presents</i>
<i>Millennium of Prophecy</i>
<i>New Revelation, A</i>
American Religious Town Hall, Inc.
<i>American Religious Town Hall, aka Religious Town Hall</i>
Billy Graham Evangelistic Association
<i>Billy Graham (aka Billy Graham Special)</i>
<i>Billy Graham Television Specials</i>
<i>Franklin Graham</i>
<i>Ruth Bell Graham</i>
Catholic Communications Corporation
<i>Chalice of Salvation</i>
<i>Real to Reel</i>
Christian Television Network, Inc. (Christian Television Corporation)
<i>All Over the World</i>
<i>Becky's Barn</i>
<i>Bloodstream</i>
<i>Bridges</i>
<i>Christian Fitness</i>
<i>Coffee Club</i>
<i>Herman & Sharron (aka Its Time for Herman & Sharron)</i>
<i>Homekeepers</i>
<i>Joy Junction</i>
<i>Set Free (aka Set Free If You Want to Be)</i>
<i>Times of Refreshing</i>
<i>You & Me(aka America's Prayer Meeting)</i>
The Christian Broadcasting Network, Inc.
<i>The 700 Club (aka 700 Club)</i>
<i>Christian World News</i>
<i>Living the Life</i>
<i>Miracles: Touched By the Hand of God (aka CBN Miracles)</i>
<i>Miracles II - All Things Are Possible (aka Miracles II)</i>
<i>One Cubed (aka 1 Cubed)</i>

SDC Program Titles - Satellite

<i>Spunky's First Christmas</i>
<i>Spunky's Camping Adventure</i>
<i>Spunky's Circus Adventure</i>
<i>Micah's Christmas Treasure</i>
<i>Straight Talk</i>
<i>Alabaster's Song</i>
<i>Superbook</i>
<i>Superlibro</i>
<i>Vida Dura</i>
<i>Flying House</i>
<i>Respuestas</i>
<i>Turning Point International</i>
<i>Mundo Cristiano</i>
<i>Agua Viva</i>
<i>Storyteller Café</i>
<i>The Easter Promise</i>
<i>Rescatados del Infierno</i>
<i>The Witness</i>
Coral Ridge Ministries Media, Inc.
<i>The Coral Ridge Hour (aka Dr. James Kennedy; Coral Ridge Hour; Coral Ridge Hour, The; The Coral Ridge Hour with Dr. D. James Kennedy; Coral Ridge Ministries; Coral Ridge Ministry; Coral Ridge; The Coral Ridge Report; Coral Ridge Presbyterian Church; D. James Kennedy; James Kennedy; Dr. D. James Kennedy; Dr. James Kennedy; DJ Kennedy)</i>
<i>Scrooge and Marley</i>
<i>What If Jesus Had Never Been Born?</i>
<i>Who is This Jesus? (aka Who is This Jesus: Is He Risen?)</i>
Cottonwood Christian Center
<i>Answers with Bayless Conley</i>
<i>Bayless Conley</i>
<i>Cottonwood Christian Center</i>
Crenshaw Christian Center
<i>Crenshaw (aka Frederick K.C. Price; Fred Price)</i>
<i>Ever Increasing Faith</i>
Crystal Cathedral Ministries, Inc.
<i>Hour of Power (aka Robert Schuller)</i>
<i>Christmas Eve at Crystal Cathedral</i>
<i>Crystal Cathedral</i>
Evangelical Lutheran Church in America

SDC Program Titles - Satellite

<i>Davey and Goliath (aks Davey and Goliath's Snowboard Christmas; Davey and Goliath "Happy Easter")</i>
<i>Oh Davey!</i>
<i>Native Nations: Standing Together for Civil Rights</i>
<i>Introducing Jesus of Nazareth</i>
<i>Hunger No More</i>
<i>Joy to the World</i>
<i>Mosaic</i>
<i>This Holy Night</i>
<i>Uganda: Ready to Forgive</i>
Faith For Today, Inc.
<i>The Evidence</i>
<i>Faith for Today</i>
<i>Lifestyle Magazine</i>
<i>McDougall, MD</i>
Family Worship Center Church, Inc., dba Jimmy Swaggart Ministries
<i>Jimmy Swaggart</i>
<i>Jimmy Swaggart Telecast</i>
In Touch Ministries, Inc.
<i>In Touch 30 with Dr. Charles Stanley (aka In Touch with Charles Stanley; In Touch 30; In Touch (30); Charles Stanley; Dr. Charles Stanley; In Touch Ministries; In Touch Ministry; C Stanley In Touch PAX; First Baptist Atlanta)</i>
<i>In Touch 60 with Dr. Charles Stanley (aka In Touch with Charles Stanley; In Touch 60; In Touch (60); Charles Stanley; Dr. Charles Stanley; In Touch Ministries; In Touch Ministry; C Stanley In Touch PAX; First Baptist Atlanta)</i>
<i>En Contacto (aka En Contacto con Dr. Charles Stanley; En Contacto Charles Stanley; En Contacto 30; En Contacto (30); Charles Stanley; Dr. Charles Stanley; Ministerios En Contacto)</i>
It Is Written
<i>It Is Written</i>
John Hagee Ministries, Inc. (aka Global Evangelism Television)
<i>John Hagee Today</i>
<i>Cornerstone, aka Cornerstone Church</i>
<i>Cornerstone with Pastor John Hagee</i>
<i>The Difference</i>
<i>The Difference with Pastor Matt Hagee</i>
Joyce Meyer Ministries, Inc. fka Life In the Word, Inc.
<i>Life in the Word</i>
<i>Life in the Word Daily</i>

SDC Program Titles - Satellite

<i>Enjoying Everyday Life</i>
<i>Joyce Meyer</i>
<i>Joyce Meyer: Enjoying Everyday Life</i>
Kerry Shook Ministries, aka Fellowship of the Woodlands
<i>Kerry Shook Ministries (aka Pastor Kerry Shook)</i>
Lakewood Church (aka Joel Osteen Ministries)
<i>Joel Osteen (aka John Osteen)</i>
<i>Lakewood Church</i>
<i>Marcos Witt</i>
Liberty Broadcasting Network, Inc.
<i>Old Time Gospel Hour</i>
Messianic Vision, Inc.
<i>Messianic Vision</i>
<i>Sid Roth's It's Supernatural & Messianic Vision (aka It's Supernatural)</i>
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<i>Miracles Now</i>
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<i>The place for Miracles</i>
RBC Ministries
<i>Day of Discovery</i>
Reginald B. Cherry Ministries
<i>Reginald B. Cherry</i>
<i>The Doctor and the Word</i>
Rhema Bible Church (aka Kenneth Hagin Ministries)
<i>Kenneth Hagin (aka Kenneth Hagin Jr.)</i>
<i>Rhema Praise</i>
<i>Rhema Today</i>
Ron Phillips Ministries

SDC Program Titles - Satellite

<i>Abba's House</i>
<i>Central Baptist Church</i>
<i>Central Message</i>
<i>Ron Phillips Ministries (aka Ron Phillips)</i>
Speak the Word Church International
<i>The Exalted Word</i>
<i>Randy Morrison</i>
<i>Speak the Word</i>
St. Ann's Media
<i>The Daily Mass</i>
<i>Holy Sacrifice of the Mass</i>
<i>The Mass</i>
<i>Mass on TV</i>
The Potters House of Dallas, Inc., dba T.D. Jakes Ministries
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<i>Celebration</i>
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<i>Gospel Music Showcase</i>
Zola Levitt Ministries
<i>Zola Levitt</i>
<i>Zola Levitt Presents</i>

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Certificate of Service

I hereby certify that on Thursday, April 05, 2018 I provided a true and correct copy of the 7001 - Sanders WDT to the following:

MPAA-Represented Program Suppliers, represented by Gregory O Olaniran served via Electronic Service at goo@msk.com

Independent Producers Group (IPG), represented by Brian D Boydston served via Electronic Service at brianb@ix.netcom.com

Signed: /s/ Michael A Warley